

1 IN THE UNITED STATES DISTRICT COURT  
 2 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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 5 RAFAEL MATEOS-SANDOVAL  
 and SIMEON AVENDANDO RUIZ,

6  
 7 Plaintiffs,

8 v.

9 COUNTY OF SONOMA, et al.,

10 Defendants.  
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NO. C11-5817 TEH

ORDER GRANTING COUNTY  
 DEFENDANTS' MOTION FOR  
 LEAVE TO FILE A MOTION TO  
 RECONSIDER PORTIONS OF  
 DECEMBER 6, 2012 ORDER  
 AND CLARIFYING THAT  
 DISMISSAL WAS WITHOUT  
 PREJUDICE

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 13 Defendants the County of Sonoma, the Sonoma County Sheriff's Office, and Sheriff-  
 14 Coroner Steve Freitas in his official capacity (collectively, "County Defendants") have  
 15 submitted a motion for the Court's consideration relating to its "Order Granting in Part and  
 16 Denying in Part Motions to Dismiss," entered on December 6, 2012 (Docket No. 50). In  
 17 their motion, filed pursuant to Civil Local Rule 7-9(b)(3), County Defendants request leave  
 18 to file a motion to reconsider with respect to those portions of the December 6, 2012 Order  
 19 addressing the interpretation and application of California Vehicle Code § 12801.5(e), and  
 20 the interpretation and determination of the legislative intent underlying California Vehicle  
 21 Code § 14602.6(a).

22 Additionally, the Parties indicated in a joint stipulation filed on December 21, 2012  
 23 (Docket No. 54) that they are uncertain whether the Court's dismissal of several of Plaintiffs'  
 24 claims in its December 6, 2012 Order was with leave to amend.

25 Upon careful consideration of these filings, and with good cause appearing therefor,  
 26 IT IS HEREBY ORDERED AS FOLLOWS:

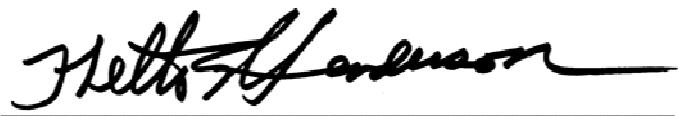
27 1. Leave to amend is GRANTED with respect to all claims dismissed in the December  
 28 6, 2012 order; and

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2. County Defendants' Motion for Leave to File a Motion to Reconsider is GRANTED with respect to the following matters addressed in the Dismissal Order: (a) the interpretation and application of Vehicle Code § 12801.5(e); and (2) the interpretation and determination of legislative intent with respect to Vehicle Code § 14602.6(a). County Defendants shall have **21 days from the date of this Order** to file any such motion.

IT IS SO ORDERED.

Dated: 01/02/2013

  
HONORABLE THELTON E. HENDERSON  
UNITED STATES DISTRICT COURT JUDGE